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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

(Case No. 03-637)

In re Application of:)
)
Tom McCarthy et al.)
) Group Art Unit: 3621
Serial No.: 10/622,146)
) Examiner: Christina O. Sherr
Filed: July 16, 2003)
)
For: Method and Apparatus for Distributing) Confirmation No. 1889
Media in a Pay Per Play Architecture With)
Remote Playback)

TRANSMITTAL LETTER

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In regard to the above-identified patent application:

1. We are transmitting herewith the attached:
 1. Information Disclosure Statement
 2. Form PTO-1449
 3. One Cited reference
 4. Return Postcard
2. With respect to additional fees:
 - A. ☐ No additional fee is required.
 - B. ☐ Attached is a check in the amount of \$_____.
 - C. ☐ Charge the total additional fee to our Deposit Account No. **13-2490.**
3. Please charge any additional fees or credit overpayments to the Deposit Account No. 13-2490. A duplicate copy of this sheet is enclosed.
4. CERTIFICATE OF MAILING UNDER 37 CFR 1.8 (FIRST CLASS MAIL): The undersigned hereby certifies that this Transmittal Letter and the document(s) as described in paragraph 1 hereinabove, are being deposited with the United States Postal Service with sufficient postage as first class mail, in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this 22 day of February 2006.

By:

Paul W. Churilla

Reg. No. 47,495



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INFORMATION DISCLOSURE STATEMENT

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to the duty of disclosure provided by 35 C.F.R. § 1.56 and §§ 1.97-98, the applicants wish to make the following reference and information of record in the above-identified application. The reference is also listed in the PTO-1449 form enclosed herewith. It is requested that the reference and information be given careful consideration and that they be cited of record in the prosecution history of the present application.

In the judgment of the undersigned, portions of the reference may be material to the examination of the pending claims. No representation is intended as to the relative importance of any portion of the reference. This Statement is not a representation that the cited reference has an

effective date early enough to be "prior art" within the meaning of 35 U.S.C. §§ 102 and 103.

CITED REFERENCES

Other Documents:

1. Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US2004/022906, dated January 26, 2006.

CERTIFICATE UNDER 37 C.F.R. § 1.97(e)(1)


Pursuant to 37 C.F.R. Section 1.97(e)(1) the undersigned certifies that each item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of the information disclosure statement.

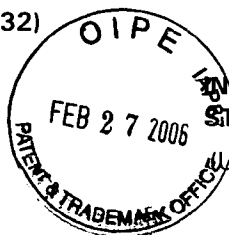
Respectfully submitted,

McDonnell Boehnen Hulbert & Berghoff

Date: Feb. 22, 2006

By:


Paul W. Churilla
Reg. No. 47,495

FORM PTO-1449
(Rev. 2-32)U.S. Department of Commerce
Patent and Trademark OfficeINFORMATION DISCLOSURE
STATEMENT BY APPLICANT

(Use several sheets if necessary)

Atty. Docket No.

03-637

Serial No.

10/622,

Applicant:

Tom McCarthy et al.

Filing Date:

7/16/2003

Group:

2611

U.S. PATENT DOCUMENTS

Examiner Initial		Document Number	Date	Name	Class	Subclass	Filing Date if Appropriate

FOREIGN PATENT DOCUMENTS

		Document Number							Date	Country	Class	Subclass	Translation	
													Yes	No

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc).

COS			Notification Concerning Transmittal of Copy of International Preliminary Report on Patentability and the Written Opinion of the International Searching Authority for PCT application of Digital Networks North America, Inc., PCT/US2004/022906, dated January 26, 2006.
EXAMINER /Cristina Owen Sherr/			DATE CONSIDERED 02/12/08

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication.